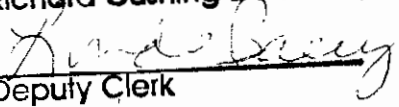


United States Court of Appeals For the First Circuit

Nos. 06-2313, 06-2381

THOMAS COOK; MEGAN DRESCH; LAURA GALABURDA; JACK GLOVER;
DAVID HALL; MONICA HILL; JENNY LYNN KOPFSTEIN; JENNIFER MCGINN;
JUSTIN PEACOCK; DEREK SPARKS; STACY VASQUEZ,

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk

Deputy Clerk

Plaintiffs, Appellants,

JAMES E. PIETRANGELO, II,

Plaintiff,

v.

Date: **AUG 18 2008**
ROBERT M. GATES*, Secretary of Defense; MICHAEL CHERTOFF,
Secretary of Homeland Security; UNITED STATES OF AMERICA,

Defendants, Appellees.

JUDGMENT

Entered: June 9, 2008

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The judgment of the district court is affirmed. No costs are awarded.

By the Court:

/s/ Richard Cushing Donovan, Clerk

cc: Mr. Anderson, Mr. Stowe, Mr. Wolff, Mr. Quinlivan, Mr. Katsas, Mr. Hohengarten, Mr. Delery, Ms. Saxe, Mr. Shapiro, Ms. Seitz, Ms. Veta, Ms. Strothers, Mr. Buseck, Ms. Bonauto, Ms. Westcott, Mr. Choe, Mr. Mizer, Ms. Greer, Mr. Joyce, Mr. Tax, Mr. Weiner, Ms. Sommer, Mr. Goldfoot, Ms. Alexander, Mr. Mortenson, Mr. Bies, Mr. Coles, Ms. Wunsch, Mr. Fitschen, Mr. Platzer & Mr. Hodge.

*Pursuant to Rule 43(c)(2) of the Federal Rules of Appellate Procedure, Robert M. Gates is automatically substituted for his predecessor as Secretary of Defense, Donald H. Rumsfeld.